

PATENT

Docket No. H16-25553

(M&amp;R 115.0010 0101)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): GUERLAIN et al.

Group Art Unit: 2174

Serial No.: 09/345,335

Examiner: Mylinh T. Tran

Confirmation No.: 1129

Filed: July 1, 1999

For: PROCESS VARIABLE GENERALIZED GRAPHICAL DEVICE DISPLAY  
AND METHODS REGARDING SAME**RECEIVED**  
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Name: Sandy Truehart

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION  
AND  
STATEMENT UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, Honeywell International Inc., a corporation of the State of Delaware, having a place of business at 101 Columbia Road, Morristown, N.J. 07962, U.S.A., represents that it is the exclusive owner of the entire interest in the above-identified Application by virtue of an assignment recorded at Reel 010259, Frame 0437 on September 20, 1999.

Petitioner further represents that it is the exclusive owner of the entire interest in a pending second U.S. Patent Application Serial No.09/346,412, filed on July 1, 1999, as evidenced by an assignment recorded at Reel 010254, Frame 0068, on September 20, 1999.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173 of any patent granted on

**Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application and Statement under 37 C.F.R. §3.73(b)**

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**For: PROCESS VARIABLE GENERALIZED GRAPHICAL DEVICE DISPLAY AND METHODS REGARDING SAME**

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the pending second U.S. Application Serial No. 09/346,412, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on the pending second U.S. Application Serial No. 09/346,412. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second Application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of any patent granted on the second U.S. Application Serial No. 09/346,412, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid by a court of competent jurisdiction, (4) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, (5) has all claims canceled by a reexamination certificate, (6) is reissued, or (7) is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Documents establishing the chain of title of the subject patent (including the aforementioned assignment and a recording location) have been reviewed and I certify that, to the best of my knowledge and belief, title is with the Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

**Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application  
and Statement under 37 C.F.R. §3.73(b)** Page 3 of 3

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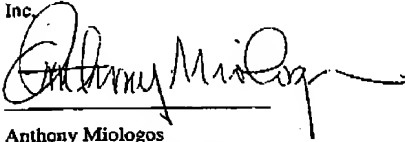
For: **PROCESS VARIABLE GENERALIZED GRAPHICAL DEVICE DISPLAY AND METHODS REGARDING  
SAME**

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punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please charge the required fee of \$110 under 37 C.F.R. §1.20(d), and any additional required fees or credit any overpayment to Deposit Account No. 13-4895. Please contact Applicants' Representative at the below-listed telephone number with any questions.

The undersigned is empowered to act on behalf of the Petitioner, Honeywell International Inc.



Anthony Miologos  
Honeywell International Inc.  
Law Department  
101 Columbia Road  
Morristown, NJ 07962-9806